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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/748,682	12/31/2003	Ross Koningstein	16113-0632001	1976
26192 7590 06/20/2011 FISH & RICHARDSON P.C. PO BOX 1022 MINNEAPOLIS, MN 55440-1022				
EXAMINER				
LE, KHANH H				
ART UNIT		PAPER NUMBER		
3682				
NOTIFICATION DATE		DELIVERY MODE		
06/20/2011		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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Examiner-Initiated Interview Summary	Application No.	Applicant(s)	
	10/748,682	KONINGSTEIN, ROSS	
	Examiner	Art Unit	
	KHANH LE	3682	

All Participants:

(1) KHANH LE.

(2) Michael P. Shepherd for Applicant(s).

Date of Interview: 06/15/11

Status of Application: 2nd RCE

(3) _____

(4) _____

Time: _____

Type of Interview:

☒ Telephonic

☐ Video Conference

☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes ☒ No

If Yes, provide a brief description: _____

Part I.

Rejection(s) discussed:

NONE

Claims discussed:

1

Prior art documents discussed:

NONE

Part II.

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

See Continuation Sheet

Part III.

☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.

☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

/Khanh H. Le/
Primary Examiner, Art Unit 3682

(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: Examiner had a few questions for Mr. Shepherd to clarify claim 1 which recites.

Claim 1: (Currently Amended) A computer-implemented method comprising:

generating, at a server, an expandable advertisement comprising:

a compact display format including an associated expansion icon and a link to a landing page,

an expanded display format comprising the link to the landing page, a content portion, one or more content items, and one or more menu options associated with one or more respective content items, where each menu option, in response to a user selection, displays the one or more associated content items in the content portion, and

code that enables a client device to transition between the expanded display format and the compact display format upon a user request;

receiving a request for one or more advertisements (related to a subject matter of interest to be presented with content associated with a publisher); and

delivering in a single transmission, from the server to a client device, the expanded display format (in response to the request to be presented with the content associated with the publisher),

wherein the generating, receiving, and delivering are performed by one or more computers.

1) Please provide support for the limitation " a compact display format ...including a link to a landing page," and an expanded display format comprising the link to the (same) landing page. ("same" is added to clarify, per Applicant's arguments).

Mr. Shepherd noted that support is e.g. at

Figure 1 item 105 is the "compact display format ...including a link to a landing page", this latter being www.wildlands.com,

Figure 2 item 290 is the "expanded display format comprising the link to the (same) landing page". www.wildlands.com. Also at Figure 11. Examiner agrees that the support is good.

Examiner stated that a new search will be conducted based on the above limitation.

2) Please provide support for the limitation "delivering in a single transmission, from the server to a client device, the expanded display format".

Mr. Shepherd pointed to the following support, at paragraph [0067] of the published version of the Application US 20050096980

" Upon selection or other indication by the user to transition the ad or morph the ad from a first display format to a second display format, a request may be processed solely at the end user system based upon the Java script described above. Accordingly, no further instruction to content/search and advertisement system may be required to transition the ad from a first display format to a second display format."

Examiner stated that, based on that, there may be inherent support for "delivering in a single transmission, ..the expandable advertisement" rather than just the expanded display format.

Further claiming delivery of the expanded display format only, raises an indefiniteness issue: i.e. how did the expanded display format come about? did the user interact with the expandable ad? was the expandable ad and the compact display format delivered? was the compact display format displayed first and interacted with?

Examiner stated that, a new search will be conducted. For prior art application, an interpretation of the above limitation "delivering in a single transmission, the expandable advertisement," is "delivering the expandable advertisement, by using javascript or like codes that allow not having to go back to the server for the expanded display format" .

3) Mr. Shepherd agreed that "PP 24, 42-43 and Fig 9" cited as support for the amended limitations (e.g. single transmission limitation) in the Response of 03/08/2011 are not necessarily correct.

4) 112(2P) issue: what is "in response to the request to be presented with the content associated with the publisher," in the phrase "delivering in a single transmission, from the server to a client device, the expanded display format in response to the request to be presented with the content associated with the publisher," ?

Is it the same request as in "receiving a request for one or more advertisements (related to a subject matter of interest to be presented with content associated with a publisher)"?

Mr. Shepherd said yes, it is, and probably to clarify that it is in response to the same request in the "receiving" step, the limitation may be amended to "delivering ... from the server to a client device, .. in response to the request for the one or more advertisements to be presented with the content associated with the publisher"

5) Examiner suggests that Applicant files a permission to communicate by email to facilitate further discussions.

6) No other agreement was reached..